

RECEIVED  
CENTRAL FAX CENTER

DEC 07 2005

I hereby certify that this correspondence is being  
facsimile transmitted to the U.S. Patent and  
Trademark Office (Fax No. (571)273-8300) from  
Phynexus, Inc. (Fax No. (408)267-7346)

On, 7 December 2005

at 11:30

By, Sue Kalman  
Sue Kalman

Attorney Docket No. P002.210

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gjerde *et al.*

Application No.: 10/620,155

Filed: 07-14-2003

For: LOW DEAD VOLUME  
EXTRACTION DEVICE

Examiner: Ludlow, Jan M

Art Unit: 1743

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR § 1.97 and  
§ 1.98

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The reference cited on attached form PTO-1449 is being called to the attention of the Examiner. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the reference be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-2852.

PhyNexus, Inc.  
Intellectual Property Department  
3670 Charter Park Drive  
San Jose, CA 95136

skalman@phynexus.com  
Telephone: (408) 267-7214 x306  
Facsimile: (408) 267-7346  
Customer No. 55130

Respectfully submitted,



Sue Kalman  
Reg. No. 54,727

PTO/SAB/8A (07-05)

Approved for use through 07/31/2006, OMB 0651-0031

**Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.**

Substitute for form 1449/PTO		<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		Application Number	10/620,155
		Filing Date	7/14/2003
		First Named Inventor	Douglas Gjerde
		Art Unit	1743
		Examiner Name	Ludlow, Jan
		Attorney Docket Number	P002.210
Sheet	1	of	1

**U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind's Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.88. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.